

In the Claims

Please amend the claims as set forth below. The changes are shown explicitly in the attached "Version Showing Changes Made."

4. (Amended) The passenger discriminating apparatus of claim 3, wherein the means of determining apparatus is configured to determine that a child is sitting directly on the seat when the output of said seat weight sensor exceeds the first threshold value and is not more than a second threshold value and when said human body proximity sensor detects the proximity of the human body.

A3